

REMARKS

Claims 1-63 are pending in the application. By this Amendment, Applicants cancel claims 38-46 and add new claims 64-67. Hence, claims 1-37 and 47-67 are all the claims pending in the application. Claims 1, 26, 55, and 67 are the only independent claims.

Preliminary Matters

Applicants note the mention of the Branson reference in the present Office Action. This is not cited as a reference in the 102(b) rejection, discussed below. However, Branson is still mentioned as the reason for the 102(b) rejection of claims 13-15, 19-21, 38-40, 53, and 54, which were allegedly anticipated by Kano et al (U.S. 5,359,513 [hereinafter “Kano”]). For claims 53 and 54 in particular, the mention of Branson does not appear to be a typographical error, as the Examiner cites to column 19, lines 19-27, and none of the references cited in the Office Action have a column 19. Applicants respectfully request clarification by the Examiner on this issue.

Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1-3, 7-10, 13-23, 26-28, 32-35, 38-40 and 47-56 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Kano. Applicants respectfully traverse.

In responding to the arguments from the previous Amendment, the Examiner stated only that claim terms in prosecution may be given their broadest reasonable construction, and that the specification is not a measure of invention. See 10/26/2007 Office Action, page 2, section 3. Notably, the Examiner alleges that Kano teaches the selection of two or more pairs of original images selected from three or more original images taken of the same subject. See 10/26/2007

Office Action, page 5. Applicants submit that Kano does not teach this feature, but instead teaches the selection of multiple Regions of Interest, or ROI's, from a pair of temporally sequential chest images. Regardless of how many ROI's are examined, the fact remains that there are only two original images they came from.

Applicants further submit that the Examiner would be mistaken in concluding that if Kano teaches using two original images, it must also teach using three. The significant factor in the present application is not how many original images are used, but what type of images are compared. Kano teaches comparing two original images to see the change that comes in the interim. The present application teaches comparing two of such interval images. Therefore, Kano does not anticipate claims 1, 26, or 55.

By this Amendment, Applicants have amended independent claim 1 to clarify its distinctions over Kano. Applicants have also amended dependent claims 2, 3, 7-10, 12-22, 24, 25, 49, 53, 58, and 61 to reflect this change. Applicants have further amended independent claims 26 and 55 to clarify their distinctions over Kano, incorporating the limitations of dependent claims 38-46. By this Amendment, Applicants cancel dependent claims 38-46.

In view of the above, Applicants respectfully request that the 102(b) rejections of independent claims 1, 26, and 55 be withdrawn. Applicants submit that dependent claims 2,3, 7-10, 13-23, 27-28, 32-35, 47-54, and 56 are allowable at least by virtue of their dependencies, direct or indirect, from independent claims 1, 26, or 55.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 4-6, 11, 12, 24-25, 29-31, 36, 37, 41-46 and 57 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kano in view of Mori (U.S. 4,858,129 [hereinafter “Mori”]).

Claims 58-63 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kano in view of Graeff et al (U.S. 4,736,398 [hereinafter “Graeff”]).

Applicants respectfully submit that neither Mori nor Graeff cure the deficiencies of Kano. They do not teach comparing two or more subtraction images or interimage-processed images. Applicants therefore respectfully request that these rejections be withdrawn.

New Claims

By this Amendment, Applicants add new claims 64-66, in order to clarify that “original image” and “region of interest” are not synonymous terms. Applicants submit that they are allowable at least by virtue of their respective dependencies from independent claims 1, 26, and 55.

By this Amendment, Applicants add new independent claim 67. Applicants submit that it is allowable at least for the same reasons as independent claim 1.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.111
Application No.: 09/748,384

Attorney Docket No.: Q61247

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

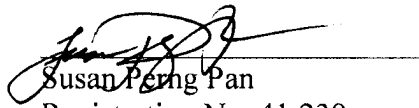
Respectfully submitted,

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